Crisp (Sir J.)
N°10.

THE CASE OF Sir John and Mr. Charles Crisp, GRANDSONS OF Sir NICHOLAS CRISP, In Relation to the Forts and Castles of *AFRICA*.

1661. ABOUT the Year 1661. King *Charles* the Second granted Letters Patents to a New Company for the sole Trade to the Coast of *Africa*.

Sir *Nicholas Crisp* being interested in a former Patent, for the sole Trade thither; and having first discovered and settled that Trade at a vast Expence; for having purchased a Parcel of Land of the King of the Country, he built the Castle of *Cormanteen*, which cost him above 20000 Pounds, besides other great Sums laid out in Erecting Factories upon that Coast.

The said Sir *Nicholas* therefore Petitioned the then King and Councel, amongst other things in Relation to his Interest, in the said Castle of *Cormanteen*: And after several Hearings, it was by Order of Councel,

20 *December* 61. the 20th of *December*, 1661 referr'd to a Committee of the Privy-Councel, to reconcile and adjust all Matters between the then erected Company and Sir *Nicholas Crisp*, or else to report their Opinion upon the whole Business, to his Majesty in Councel.

1662. The Matter depended in Agitation, till the 29th of *July*, 1662. when at a Meeting, in which were present his Highness Prince *Rupert*, the Lord Chancellor *Clarendon*, and other Lords of the Privy-Councel; and after a full Hearing on both Sides, they ordered that Sir *Nicholas Crisp* should receive from the Company, 20000 Pounds to be paid him by Two and Half *per Cent.* upon all their Goods Outward and Homeward bound, and some other Compensation from the Crown, in respect of his great Charges and Losses.

To this the Company seem'd to acquiesse, and by Colour of the intended Satisfaction, they took Possession of the said Castle of *Cormanteen*, being the best Settlement on that Coast, but did never pay one Penny to Sir *Nicholas Crisp* in Satisfaction for it; so that the said Sir *Nicholas*, by his last Will made in the

1665. Year 1665, computes he lost out of Purse, on that Account, One hundred thousand Pounds above all Returns from thence, which as he says in his said Will, being so great a Service to his Country, he doubts not but when he is dead, the Nation would make some Compensation to his Family.

1665. About the Year of our Lord 1665, in the War between *England* and the *Dutch*, several Ships of War was sent to invade the Coast of *Guiny*, possess'd by the *Dutch*, who took from the *Dutch*, *Cape Coast-Castle*; and the *Dutch* afterwards invaded the Castle of *Cormanteen*, then in the said Company's Possession, and took the same.

1667. That by the Articles between both Nations, in the Year 1667, it was agreed, That both Parties should keep and possess all such Lands, Forts, Places and Colonies, as during the War, they had by Force of Arms, or otherwise gotten and detained: And by Vertue of this, the *Dutch* detain'd the said Castle of *Cormanteen*; and in Leiu thereof, the *English* Company detained the Castle of *Cape-Coast*, which in effect was but an Exchange: And 'tis very probable, the then *African* Company desired the same, hoping thereby to evade Sir *Nicholas Crisp*'s Demand.

That in the printed Bill, now depending before the House, the Royal *African* Company being to receive a Satisfaction for Forts and Factories on the said Coasts.

It is humbly hoped, that Provision may be made in such manner as the House shall think fit, that the HEIRS of Sir *Nicholas Crisp*, who FIRST discovered the Trade, may have a Compensation for the Castle and Fort he built at so great an Expence.

Object. *It may be objected, That this is an antiquated Demand.*

Answ. It is a known Maxim, *That Right never dies*; besides this Right arises from a remote Part of the World, and for which no Remedy could be had in the ordinary Course of Justice; and the Company were a long time too powerful for a single Person to contend with; and afterward in such Circumstances, that it was not worth the while to contend with them, but Claims have not been wanting to be made by the Heirs of the said Sir *Nicholas Crisp*; and 'tis notorious that the Company possessed themselves of the Castle of *Cormanteen*, and kept it from the right Owner; and since the Company also receive a Compensation for their Forts and Castles, it will be difficult for them to give a good Reason why the Heirs of the true Owner should not receive Satisfaction.

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THE CASE OF Sir John and Mr. Charles Smith,

Sir NICHOLAS CRISP's CASE,

In Relation to the FORTS and Trade in AFRICA.

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1665. Year 1665, complains to both Houses of Parliament, That the Fleet under the Command of Sir Robert Holmes, in the Year 1664, by Order from His Majesty, did seize upon the Forts and Castles belonging to the Royal African Company, and kept them in the Possession of the Duke of York, to the great Damage of the Company, and Hindrance of the Trade, and prayed Relief therein.

1665. That the Parliament, upon the Consideration of the Premisses, and for the Encouragement of the Royal African Company, to enable them to maintain the Forts and Castles in Africa, for the better carrying on the Trade of Negroes, and for the Security of the Plantations, did by Act of Parliament, Anno 17 Car. II. Cap. 26. grant to the said Company, and their Successors, for the Term of One and Twenty Years, the Duty of Four Pounds per Ton, upon all Negroes, and other Goods exported by the said Company, to any of their Plantations in America, and Five per Cent. upon all Goods imported from thence, by the Space of Seven Years, for the Purposes aforesaid.

1667. That by the Articles between both Nations, in the Year 1667, it was agreed, That all Places, Forts, Factories and Colonies, as did then belong to either Nation in Africa, or the East Indies, should remain to the Possessors thereof, as at the Time of the Signing of the Articles; and that Commissioners should be appointed to adjust the Rights and Pretensions which either Crown had to any Places in those Parts; which Commissioners have not yet met, nor any Thing been done therein.

1672. That by the Charter granted by His Majesty, in the Year 1672, for the better carrying on the Trade of Negroes, the said Company were incorporated by the Name of The Royal African Company of England, and thereby had granted to them, their Successors and Assigns, the sole Trade to the Coast of Africa, from the Port of Sallee, in Barbary, to the Cape of Good Hope, exclusive of all others, except such Persons as should be licensed by the said Company, under their Common Seal, for the Space of One and Twenty Years, with Power to make Peace or War with any Prince or People, not Christians, for the Benefit of the Trade, and to erect Forts and Castles there, for the Security of the Trade, and Defence of the Forts and Castles, and to coin Money for the Use of the Trade, and to transport Negroes to the Plantations of His Majesty's Subjects in America, and to import Gold, Elephants Teeth, and other Goods, from Africa, into His Majesty's Dominions, and to export the same to any Parts of the World, paying Customs, Subsidies and Duties for the same, as by the said Charter, relation being thereunto had, may more at large appear.

That the said Company, by Virtue of the said Charter, and for the Encouragement of Merchants and others, to trade to Africa, and for the better Supply of the Plantations with Negroes, did, at their own Charge, send several Ships to Africa, and did settle Factories, and build Forts and Castles there, and did furnish the same with Ammunition, Provisions, Goods, and Servants, and did maintain the same for several Years, to the Value of 100,000 l. and upwards, and did thereby drive a very great Trade, and did supply the Plantations with Negroes, to the Value of 300,000 l. per Annum, and upwards, and did bring Gold, Elephants Teeth, and other Goods, to the Value of 200,000 l. per Annum, and upwards, into His Majesty's Dominions, and did employ 100 Ships, and upwards, and 5000 Seamen, and upwards, in the said Trade, and did pay the Duties for the same, and did thereby advance the Revenue of the Customs, and the Navigation of the Kingdom, to the great Benefit of the Nation.

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